



MIGRANTS REFUGEES

Migration Profile

QATAR

A. Executive Summary

The State of Qatar is ruled by a hereditary absolute monarchy. Qatar has signed several memoranda of understanding and agreements with workforce-sending countries, in particular with South and Southeast Asian nations to facilitate the recruitment of migrants. The kafala system is almost the only way to recruit migrant workers. This sponsorship system is used to monitor migrant labourers, working primarily in the construction and domestic sectors. The system is often reported to be at the origin of human trafficking, forced labour, and various forms of abuse, including excessively long working hours without rest or days off, confiscated passports, delayed or withheld wages, arbitrary non-renewal of work permits, physical and sexual abuse, and forced confinement of domestic workers. Many positive reforms launched by the government concerning the kafala system have either been inadequately enforced or hindered by powerful interest groups related to sectors that employ migrants. In general, migrants' access to justice in Qatar remains limited, especially since the State accords legal responsibility to the sponsor, who is at liberty to cancel the migrant's work visa at any time. COVID-19 has further increased the vulnerability of migrants to abuses, expulsions, and sanitary issues, as Qatar's economy has entered a serious recession due to the drop in oil prices. The confinement of migrants in their housing camps has exposed them to contamination. Scarce access to health care and assistance has exacerbated their vulnerability. In general, systematic discrimination has highly contributed to hindering structural progress in defending the rights of migrant workers.

Among all Gulf countries, Qatar was the first to adopt an asylum legal framework to welcome refugees in 2018. It signed the Global Compacts on Safe, Orderly, and Regular Migration and on Refugees, as well as many other international instruments, but most of their principles are still not enshrined in national legislation, or only partially so.

Although it tends to be tolerant towards non-Muslims, the government of Qatar limits the presence of non-Muslim organizations. Catholic and other confessional organizations are not allowed to act in favour of migrant workers or to defend their rights. However, the Church is present and provides spiritual and sacramental support to migrants who are Catholic. The Franciscan Order of the Friar Minor Capuchins has the *jus commissionis* (pastoral authority and responsibility) for the pastoral care of migrant workers. Most clerics are considered to be migrant workers, because of current legislation and kafala system.

B. Country Profile

I. Basic information

Formerly a UK protectorate, the State of Qatar borders the Persian Gulf and Saudi Arabia, ruled by a hereditary absolute monarchy. Qatar's relations with its neighbours have been tense in recent years and have forced the nation to establish new trade routes with other countries because of economic sanctions. The head of state is Amir Tamim bin Hamad Al-Thani and the Prime Minister and Minister of the Interior is Sheikh Khalid ibn Khalifa ibn Abdul Aziz Al-Thani. Its economy primarily relies on oil and gas revenues, which is likely to last for the foreseeable future as its natural gas reserves represent at least 13% of global reserves, making Qatar the third country in the world in terms of gas reserves. Despite its strong rent-based economic structure, Qatar has made significant gains in strengthening non-oil sectors, such as manufacturing, construction, and financial services. Non-oil GDP has represented a little more than half of total GDP in recent years. Since being chosen to host the 2022 World Cup, Qatar has led efforts to improve the country's infrastructure, as well as its healthcare and education systems. COVID-19 and resulting restrictions throughout the world have had a considerable impact on Qatar's gas and petroleum industry, reducing revenues and accelerating the government's need to diversify the economy, in addition to dealing with the issue of protecting its vulnerable populations, particularly migrant workers.

II. International and Internal Migrants

The great majority of migrant workers in the Gulf have a job, with a visa lasting one, two, or even three years. They are primarily men from South and Southeast Asian, Arab, North African and Sub-Saharan African nations, who have left their families in their country of origin. However, some workers are girls and women, mainly employed in domestic service but also as semi-skilled and skilled workers in hospitals, restaurants, public offices, security agencies, etc. Only very few companies allow the migrant's family to come with him or her. In these Gulf countries, the main problem is not the unemployment of migrants - as is the case in other countries - but the kafala system, in which every migrant worker must have a "sponsor" to obtain a residence visa and to be able to work for one to three years. Since it puts migrants in a situation of legal dependence, the kafala system exposes them to many abuses, including excessively long working hours without rest or days off, confiscated passports, delayed or withheld wages, forced labour, arbitrary non-renewal of their work permits, physical and sexual abuse, and often forced confinement of domestic workers. Legal protection of migrant workers is extremely difficult as they are not citizens. Since the kafala system gives legal responsibility, powers, and rights to the sponsor in the eyes of the State, the sponsor is at liberty to cancel the migrant's work visa and can have the migrant expelled.

In October 2020, the population of Qatar was estimated to be 2,895,805. By 2019, international migrants represented 78.7% of the population, totalling roughly 2,229,700. Women represented 17.2% of migrants and children represented 14% (2019). As for migrant flows, the net migration rate at the beginning of 2020 was estimated to be 6.5 migrants for 1,000 inhabitants, ranking Qatar the 18th country in the world. In 2019, the number of

migrants increased by 7% compared to 2018. Between 1996 and 2019, the population increased by 18%. The three largest immigrant groups are from India (698,100), Bangladesh (263,100), and Nepal (254,300). But some migrants are also from Indonesia, Kenya, Nigeria, Pakistan, the Philippines, Sri Lanka, Sudan, Uganda, and other countries. Qatar ranks fourth in the world in terms of its share of Indian women migrant domestic workers. Approximately 1 million migrant workers are employed in construction, in particular in building projects for the 2022 FIFA World Cup infrastructure, while more than 100,000 are domestic workers. In total, 95% of Qatar's workforce is composed of migrant workers. Reforms towards the protection of migrants have been made in recent years, including the decisions to: a) end the exit permit requirements for all workers; b) allow workers to change their employers without their sponsor's permission following a probationary period; c) establish a non-discriminatory minimum wage (with a new increase announced for March 2021), including for domestic workers (who were excluded from previous reforms); and d) combat abuse during the recruitment of migrant workers through excessive fees, as well as other abuses such as salary delays, physical and sexual abuses especially of domestic workers, racial discrimination, etc. However, the insufficient implementation of these measures has hindered the effective improvement of the situation, particularly because of significant difficulties in obtaining justice for abuses and the absence of remedies provided by the government. Reports have been made regarding the fact that low-paid migrant workers are subject to systematic racial discrimination, which further limits the impact of structural improvements. Some women migrants with children were reported to have been detained in immigration detention facilities, pending deportation. The COVID-19 crisis has further increased the numbers of delayed or non-paid wages cases. Workers' housing camps are often overcrowded and the lack of adequate water and sanitation facilities makes it more difficult for workers to protect themselves from the pandemic. Overcrowding in these camps does not allow for any form of social distancing. Many migrants cannot access healthcare or health assistance.

III. Emigration and Skilled Migration

Qatar is also a migrant- and refugee-sending country. In 2019, there were 171,600 emigrants, 36 refugees, and 41 asylum seekers from Qatar around the world.

IV. Forced Migrants (internally displaced persons, asylum seekers, and refugees)

Forced migration towards Qatar has mainly been caused by wars in surrounding countries. Qatar hosted around 272 UNHCR-registered refugees and 100 asylum seekers in 2019. Refugees in Qatar mainly come from Syria and Iraq. Syrian children have been authorized access basic education, thanks to a school created with the State support and to State services for issuing civil and birth registration documents. However, in general, refugees tend not to have access to local integration in Qatar as their stay is considered to be temporary.

Climate displacement

Climate and environmental risks for Qatar, as for other countries in Northern Arabia, are related to droughts and resources in potable water. The climate risks in Qatar in 2018 were

greater than its own average and the average in other countries over the previous two decades. However, to date, no climate displacements have been reported in Qatar.

V. Victims of Human Trafficking

Despite increasing government efforts to fight trafficking in persons (TIP), migrant workers face many abuses and the majority have faced human trafficking in Qatar. Migrants often pay illegal and exorbitant fees to unscrupulous recruiters in the labour-sending countries, which increases their vulnerability to debt bondage. They often work in substandard conditions that heighten their risk of forced labour. They often undergo restricted movement, delayed salaries or payment withholding, denial of employment-associated benefits, quasi-systematic passport confiscation, threats of deportation, and refusal to authorize workers to transfer to new jobs or to leave the country. In a small number of cases, migrant workers face physical, mental, and sexual abuse, as well as threats of serious physical or financial harm. Many migrant workers often live in confined, unsanitary conditions, and many complain of excessive working hours and hazardous working conditions. Along with unskilled migrants, domestic workers are the most vulnerable, in particular because of Qatar's culture of privacy, which can lead to the isolation of domestic workers in private residences, where officials and police do not always have the authority to enter and enforce the law. Since January 2020, domestic workers have the right to leave the country without permission from their employers, but awareness and enforcement of the law remain limited. Threats of deportation are also reportedly used to force migrants to work. Among all the persons trafficked in Qatar in 2017, an estimated 93.7% were women.

VI. National Legal Frameworks

By 2017, Qatar had ratified 9 international instruments on human rights. It has ratified the Forced Labour Convention, the Abolition of Forced Labour Convention, the Discrimination (Employment and Occupation) Convention, the Minimum Age Convention, and the Worst Forms of Child Labour Convention. Qatar did not ratify the Equal Remuneration Convention, the Freedom of Association and Protection of the Right to Organize Convention, or the Right to Organize and Collective Bargaining Convention. Although many of the principles of these international conventions are not applied in national legislation and workers' organizations are still prohibited, policies and new legislation have been created or planned to improve the situation of migrant workers (especially domestic workers), including through small reforms of the kafala system, inspection strategies, and improved access to justice. Increased access to justice is projected to be further improved thanks to the establishment of an office to implement rulings in labour cases. On August 30, 2020, Qatar announced two reforms to its labour law and kafala system. One of them was the dismantling of the "No Objection" Certificate required from the migrant's employer to obtain the permission to change jobs. That new reform, if properly implemented, would allow workers abused by their employers to quit more easily. Nevertheless, employers would maintain the responsibility for renewing or cancelling workers' permits and would remain legally entitled to prosecute their employees for having "fled" if they quit without being authorized.

The State of Qatar is not party to the 1951 Convention on the Status of Refugees or its 1967 Protocol. However, the UNHCR has engaged with Qatar on asylum legislation after the government adopted a national asylum framework, following its accessions to the International Covenant on Economic, Social, and Cultural Rights and the International Covenant on Civil and Political Rights. It is the first GCC country to have an asylum law and a governmental body that oversees asylum. However, Qatar still needs to implement that new framework and establish a comprehensive strategy to deal with persons under the UNHCR's mandate. Resettlement is the only solution available to refugees given the fact that authorities only issue temporary residency permits pending resettlement. Refugees do not have access to naturalization and are still considered under law as expatriates subject to the kafala system, however as most do not have a sponsor, they are legally considered to be irregular migrants.

Qatar has put in place a legal framework for combating human trafficking. The 2011 anti-trafficking law criminalised sex trafficking and labour trafficking. The law prescribes penalties of up to seven years' imprisonment with a fine of up to the equivalent of \$68,680 USD for offenses involving adult male victims, and up to 15 years' imprisonment and a fine of up to \$82,420 for offenses involving an adult female or child victim. Recruitment agencies found guilty of trafficking face up to 5 years' imprisonment and a fine up to \$54,950. Though inadequately enforced, passport confiscation was criminalised and is punishable by an important fine. The government has also opened a shelter for TIP victims. It has likewise started to refer victims to protective services. But the government has not convicted any Qatari employers or recruitment agencies for forced labour. On the contrary, authorities have sometimes arrested, detained, and deported potential trafficking victims for immigration violations, prostitution, or fleeing their employers or sponsors.

VII. Main Actors

Qatar is a member of the United Nations, the International Labour Organization (which works with governments to improve the legal framework of labour and train labour inspectors), and is an Observer State to the International Organization for Migration. In Qatar, the UNHCR carries out all functional responsibilities related to registration, refugee status determination, and finding resettlement solutions.

The official religion in Qatar is (Sunni) Islam. Muslims represent about 67.7% of the population, Christians 13.8%, Hindus 13.8%, Buddhists 3.1%, folk religions less than 1%, Jews less than 1%, and other or unaffiliated is 1.6%. The Constitution and laws provide for freedom of association, public assembly, and private worship, within limits based on public order and moral concerns. The law forbids discrimination based on religion. The law also prohibits proselytizing by non-Muslims. The Catholic Church is present in Qatar, but only one church is recognized and tolerated in the country: Our Lady of the Rosary. Qatar is under the mandate of the Apostolic Vicariate of Northern Arabia. The Franciscan Order of the Friar Minor Capuchins has the *jus commissionis* (pastoral authority and responsibility) for the Vicariate, including for the pastoral care of migrant workers. However, despite a certain tolerance, most clerics are considered to be migrant workers due to current legislation and the kafala system. The Church can only provide spiritual assistance to the faithful, specifically through sacramental care and catechesis. The Church cannot host refugees or

migrants in difficulty. Though no official figures exist, it is estimated that there are around 200,000 to 300,000 Catholics in Qatar. The faithful are almost all working migrants from roughly 100 nations.

VIII. Other Important Issues

In 2018, Qatar signed the Global Compact on Safe, Orderly, and Regular Migration and the Global Compact on Refugees.

The country is home to approximately 1,200 stateless persons (2018). Most of these are members of the Al-Ghufran clan of the Al-Murra tribe, one of the largest tribes in Qatar, who remain deprived of their rights to work, to access healthcare and education, to own property and move freely, among other things. Qatar is not party to the 1954 Convention relating to the Status of Stateless Persons, or to the 1961 Convention on the Reduction of Statelessness.

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